

15W
JF
JF

UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 16 2004
JCS

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/829,468	04/21/2004	Max Motyka	22305

CONFIRMATION NO. 6421

Gary P. Oakeson
THORPE NORTH & WESTERN, LLP
P.O. Box 1219
Sandy, UT 84091-1219

FORMALITIES LETTER



OC000000013099124

Date Mailed: 06/30/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.

Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).

- The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$644** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

; 08/18/2004 FFANIAIA2 00000014 10829468

Total additional fee(s) required for this application is **\$1544** for a Large Entity:

02 FC:2001	385.00	OP
03 FC:2201	43.00	OP
04 FC:2202	279.00	OP
05 FC:2051	65.00	OP

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$644**

- **\$86** for **1** independent claims over 3.
- **\$558** for **31** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Z. Araya
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

ART UNIT: 1646
APPLICANT: Motyka et al.
SERIAL NO.: 10/829,468
FILED: 4/21/2004
CONFIRM. NO.: 6421
FOR: NON-GMO METAL AMINO ACID
CHELATES AND NON-GMO
METAL AMINO ACID CHELATE-
CONTAINING COMPOSITIONS
ATTORNEY DOCKET NO. 22305

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF PATENT
APPLICATION Filing Date
Granted**

**CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.8**
DATE OF DEPOSIT: 8/12/04

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Emily Meehan

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

In response to the Notice to File Missing Parts of Application mailed 6/30/2004, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- A copy of the Notice to File Missing Parts of Application Filing Date Granted.
- Declaration and Petition.
- Power of Attorney.
- Applicant claims small entity status under 37 CFR 1.9(b) & 1.27(c).
- An Assignment from the inventors to Albion International, Inc.
- Prior Art Statement, Form PTO-1449, and copies of cited prior art.
- A Petition for a _____-month Extension of Time Under 37 CFR 1.136(a).
Payment in the amount of 0.00 is enclosed.

Response To Notice To File Missing Parts Of Patent Application

Commissioner for Patents

Page 2

The filing fee has been calculated as shown below.

FOR	NO. FILED	NO. EXTRA	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
			RATE	Fee	RATE	Fee
BASIC FEE			\$385.00	\$385.00	\$770.00	
TOT. CLAIMS	51-20=	31	x \$9.00 =	\$279.00	x \$18.00 =	
IND. CLAIMS	4-03=	1	x \$43.00 =	\$43.00	x \$86.00 =	
MULTIPLE DEPENDENT CLAIMS PRESENTED		0	\$145.00	\$0.00	\$290.00	
ASSIGNMENT FILING FEE			\$40.00	\$40.00	\$40.00	
SURCHARGE FEE			\$65.00	\$65.00	\$130.00	
			TOTAL	\$812.00	TOTAL	

A check in the amount of \$812.00 is enclosed to cover the filing fee.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

Dated this 12th day of August, 2004.

Respectfully submitted,



M. Wayne Western
Attorney for Applicant
Registration No. 22,788

THORPE NORTH & WESTERN, LLP
Customer No. 20,551
P.O. Box 1219
Sandy, Utah 84091-1219
Telephone: (801) 566-6633


MWW/GPO/em
Enclosure